IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION [LODGING] NO. 2482 OF 2004

First Global Stockbroking P Ltd. & Ors. .....Petitioners

VERSUS

A.K. Bal & Ors. ....
Respondents

Mr. Sudeep Sen with Mr. Kedar Dighe instructed by
Mr. V.S. Khanavkar for the Petitioners

Mr. B.A. Desai, Additional Solicitor-General, with Mr. S.S. Pakale for the Respondents.

CORAM: DALVEER BHANDARI, C.J., &
DR.D.Y.CHANDRACHUD, J.

DATE: OCTOBER 18, 2004.

P.C.:-

1. This Writ Petition is directed against the show-cause notices issued by the respondents on the ground that respondent No. 1 has no authority to send show-cause notice to the petitioners.

2. Respondent No. 1 has submitted that Mr. A.K. Bal was appointed as Special Director, FEMA, Enforcement Directorate, vide Notification dated 10th July, 2001, and was empowered to adjudicate cases under Foreign Exchange Regulation Act, 1973 from 10th July, 2001 vide Order dated 20th November, 2002.

3. The learned counsel for the petitioners is directed to appear before the concerned authority on 25th October, 2004. He would be at liberty to take preliminary objection regarding jurisdiction of the concerned authority. The petitioners undertake to file their objection within one week from today. Both objections would be dealt with by the concerned authority within four weeks thereafter. No further directions are necessary in this petition. This petition is accordingly disposed of.

CHIEF JUSTICE

DR.D.Y.CHANDRACHUD, J.